

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

**JUDGMENT IN A CIVIL CASE**

**Timothy J. O'Brien**

Plaintiff

vs.

**CASE NUMBER: 7:12-CV-1600 (NAM/TWD)**

**Steven Yugartis, as Mayor of the Village of Potsdam, New York; STEVEN WARR;  
ELEANOR HOPKE and RONALD TISCHLER, as Trustees of the Village of  
Potsdam; THE VILLAGE OF POTSDAM NEW YORK; and THE VILLAGE BOARD OF  
THE VILLAGE OF POTSDAM, NEW YORK**

Defendants

**Decision by Court.** This action came to hearing before the Court.  
The issues have been heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

That the Motion for Summary Judgment is GRANTED insofar as it seeks Summary Judgment dismissing claim four, and DENYING the Motion for Partial Summary Judgment. It is further Ordered that the remaining claims are REMANDED to New York State Supreme Court, St. Lawrence County.

All of the above pursuant to the order of the Honorable Judge Norman A. Mordue, dated the 22<sup>nd</sup> day of September, 2014.

DATED: September 30, 2014

  
Clerk of Court

s/ *Joanne Bleskoski*

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Joanne Bleskoski  
Deputy Clerk